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Attorneys for Defendant/Counter-Claimant
Daniel G. Heath

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL G. HEATH, JOHN P. HEATH, and
MARY C. HEATH, Individually and dba OLE
ARABIANS, a General Partnership,

Defendants.

DANIEL G. HEATH, JOHN P. HEATH and
MARY C. HEATH,

Counter-claimants,

v.

UNITED STATES OF AMERICA,

Counter-defendant.

CASE NO. 2:90-cv-01585-EJG-JFM

**STIPULATION TO CONTINUE THE
HEARING DATE FOR PLAINTIFF'S
MOTION TO REOPEN CASE AND FOR
ENTRY OF JUDGMENT & ORDER**

Pursuant to Local Rule 6-144(a), plaintiff United States of America and defendant Daniel G. Heath, by and through their respective counsel, request that the hearing date for plaintiff's Motion to Reopen Case and for Entry of Judgment which was filed July 30, 2009, be continued from September 4, 2009, until October 16, 2009.

1 Dated: August 13, 2009.

GOLDSBERRY, FREEMAN & GUZMAN, LLP

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3 By: /s/ James T. Freeman
4 JAMES T. FREEMAN
Attorney for Defendant Daniel G. Heath

5 Dated: August 13, 2009.

LAWRENCE G. BROWN
UNITED STATES ATTORNEY

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8 By: /s/ Kurt A. Didier
9 KURT A. DIDIER
10 ASSISTANT U.S. ATTORNEY
Attorney for Plaintiff United States of America

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12 **ORDER**

13 IT IS SO ORDERED that the hearing date with respect to plaintiff's Motion to Reopen Case
14 and for Entry of Judgment is continued from September 4, 2009, until October 16, 2009, at 10:00 a.m.
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16 Dated: August 13, 2009

/s/ Edward J. Garcia
17 EDWARD J. GARCIA
18 UNITED STATES DISTRICT JUDGE
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Case Title: *United States of America v. Heath, et al.*
Case Number: 2:90-cv-01585-EJG-JFM

PROOF OF SERVICE

I am a citizen of the United States and am employed in the County of Sacramento, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 777 Twelfth Street, Suite 250, Sacramento, California 95814. I am familiar with the business practices of the Law Offices of Goldsberry, Freeman & Guzman, LLP for collecting and processing mail and know that the mail in said offices is collected and processed on the same date as indicated below. I declare that I am employed in the offices of a member of the bar of this court at whose direction the service was made.

On the date below, I served the foregoing document(s) described as:

STIPULATION TO CONTINUE THE HEARING DATE FOR PLAINTIFF'S MOTION TO REOPEN CASE AND FOR ENTRY OF JUDGMENT

on the interested parties in this action by placing true copies thereof enclosed in a sealed envelope addressed as follows:

Kurt A. Didier
John F. Gisla
U.S. Attorney's Office
501 I Street, Suite 10-100
Sacramento, CA 95814

John P. Heath
Mary C. Heath
Route 1
Box 103-B
Maricopa, CA 93252

XX (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Sacramento, California.

 (PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee(s).

 (BY FEDERAL EXPRESS/GOLDEN STATE OVERNIGHT) I caused such envelope with fees prepaid thereon to be delivered via Federal Express/Golden State Overnight from Sacramento, California.

 (VIA FACSIMILE) I caused such document to be sent via facsimile to the above-listed facsimile number(s) and thereafter caused a copy to be placed in the United States mail at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I declare that I am employed in the offices of a member of the bar of this court at whose direction the service was made.

Executed August 13, 2009, at Sacramento, California.

/s/ Diane Oliver
Diane Oliver